

ORDINANCE NO. 07-73

ORDINANCE GRANTING A VARIANCE PERMIT TO ALLOW 2 BRONZE-COLORED CHANNEL LETTER ILLUMINATED SIGNS ON THE FRONT FACADE WITH A TOTAL AREA OF 87 SQUARE FEET, WHERE ONLY ONE ILLUMINATED SIGN IS PERMITTED WITH A TOTAL AREA OF 24 SQUARE FEET, CONTRA TO HIALEAH CODE § 74-211(a). **PROPERTY LOCATED AT 1420 WEST 68 STREET, HIALEAH, FLORIDA.** REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Board at its meeting of August 8, 2007 recommended approval of this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The below-described property is hereby granted a variance permit to allow 2 bronze-colored channel letter illuminated signs on the front façade with a total area of 87 square feet, where only one illuminated sign is permitted with a total area of 24 square feet, contra to Hialeah Code § 74-211(a), which provides in pertinent part: “A painted or wall sign shall be permitted in the RO residential-office zoning district . . . and may not exceed 24 square feet in area”. Property located at 1420 West 68 Street, Hialeah, Miami-Dade County, Florida, zoned (RO Residential Office District), and legally described as follows:

LOT 6, BLOCK 22, FIRST ADDITION TO
WESTHAVEN HEIGHTS, ACCORDING TO THE PLAT
THEREOF, AS RECORDED IN PLAT BOOK 65, PAGE
42, OF THE PUBLIC RECORDS OF MIAMI-DADE
COUNTY, FLORIDA.

Section 2: Repeal of Ordinances in Conflict.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3: Penalties.

Every person violating any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by a civil penalty not to exceed \$500.00 within the discretion of the court or administrative tribunal having jurisdiction. Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. In addition to the penalty prescribed above, the city may pursue other remedies such as abatement of nuisance, injunctive relief, administrative adjudication and revocation of licenses or permits.

Section 4: Severability Clause.

If any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance.

Section 5: Effective Date.

This ordinance shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

PASSED and ADOPTED this 28th day of August, 2007.

THE FOREGOING ORDINANCE
OF THE CITY OF HIALEAH WAS
PUBLISHED IN ACCORDANCE
WITH THE PROVISIONS OF
FLORIDA STATUTE 166.041
PRIOR TO FINAL READING.



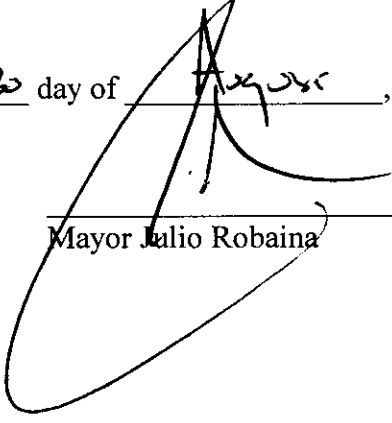
Esteban Bovo
Council President

Attest:

Approved on this 30 day of August, 2007.

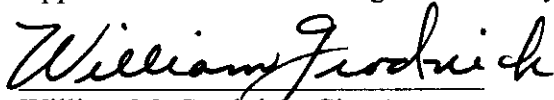


Rafael E. Granado, City Clerk



Mayor Julio Robaina

Approved as to form and legal sufficiency:



William M. Grodnick, City Attorney

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Ordinance was adopted by a unanimous vote with Councilmembers Bovo, Caragol, Casals-Muñoz, Gonzalez, Hernandez, Miel and Yedra voting "Yes".